



**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**
Caption in compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

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Attorneys for NewRez LLC d/b/a Shellpoint
Mortgage Servicing

Order Filed on October 18, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

David Buenano-Suarez and
Luisa Santos-Buenano,

Debtors.

Case No. 18-27154

Chapter 13

Hearing Date: October 18, 2023

Judge: Christine M. Gravelle

ORDER RESOLVING OBJCETION TO CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: October 18, 2023

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

**Honorable Christine M. Gravelle
United States Bankruptcy Judge**

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Debtor(s): David Buenano-Suarez and Luisa Santos-Buenano

Case No: 18-27154

Caption: Order Resolving Objection to Certification of Default

Movant: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Movant's Counsel: Hill Wallack LLP

Debtor's Counsel: James J. Cerbone, Esq

Property Involved ("Collateral"): 501 Oak Street Lakehurst, NJ 08733

Relief sought:

✓ **Certification of Default**

Motion to Dismiss

Motion for Prospective Relief to prevent imposition of Automatic Stay
against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** as follows:

1. Status of post-petition arrearages:

- The Debtor is overdue for **5** months, from **June 1, 2023** to **October 1, 2023**.
- The Debtor is overdue for **3** payments at **\$1,266.07** per month.
- The Debtor is overdue for **2** payments at **\$1,298.20** per month.
- Less Funds held in debtor(s) suspense **\$824.09**.

Total Arrearages Due through October 31, 2023 is \$5,570.52.

2. Debtor must cure all post-petition arrearages as follows:

- Lumpsum payment shall be made in the amount of **\$5,570.52**. Payment shall be made no later than **December 18, 2023**.
- Beginning on **November 1, 2023**, regular monthly mortgage payments shall continue to be made in the amount **\$1,298.20** (subject to change).

3. Payments to the Secured Creditor shall be made to the following address(es):

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Debtor(s): David Buenano-Suarez and Luisa Santos-Buenano

Case No: 18-27154

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✓ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Bankruptcy Department

P.O. Box 10826

Greenville, SC 29603-0826

✓ Immediate payment: Same as above

4. In the event of Default:

If the Debtors fail to make a lumpsum payment by the date it is due or any regular monthly payments within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorney's fees of **\$200.00** expended in relation to the Certification of Default. The fees and costs are payable through the Chapter 13 plan.

In re:
David Buenano-Suarez
Luisa Santos-Buenano
Debtors

Case No. 18-27154-CMG
Chapter 13

District/off: 0312-3
Date Rcvd: Oct 18, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 20, 2023:

Recip ID **Recipient Name and Address**
db/jdb + David Buenano-Suarez, Luisa Santos-Buenano, 501 Oak Street, Lakehurst, NJ 08733-2825

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 20, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 18, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Angela Catherine Pattison	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing apattison@hillwallack.com apattison@ecf.courtdrive.com
Denise E. Carlon	on behalf of Creditor VW Credit Leasing Ltd dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
James J. Cerbone	on behalf of Debtor David Buenano-Suarez cerbonelawfirm@aol.com cerbonejr83307@notify.bestcase.com

District/off: 0312-3

User: admin

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Date Rcvd: Oct 18, 2023

Form ID: pdf903

Total Noticed: 1

James J. Cerbone

on behalf of Joint Debtor Luisa Santos-Buenano cerbonelawfirm@aol.com cerbonejr83307@notify.bestcase.com

John R. Morton, Jr.

on behalf of Creditor Ally Bank Lease Trust ecfmail@mortoncraig.com mortoncraigecf@gmail.com

Kevin Gordon McDonald

on behalf of Creditor VW Credit Leasing Ltd kmcdonald@kmllawgroup.com, bkgroup@kmllawgroup.com

Melissa N. Licker

on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing mlicker@hillwallack.com HWBKnewyork@ecf.courtdrive.com

Melissa S DiCerbo

on behalf of Creditor HomeBridge Financial Services Inc. nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com

U.S. Trustee

USTPRRegion03.NE.EDF@usdoj.gov

TOTAL: 11